

**Remarks**

Reconsideration of the application is respectfully requested in view of the foregoing amendments and following remarks.

Claims 1-17, 30-40, 46 and 47 are pending in the application. Claims 1, 30, 46 and 47 are independent.

***Objection to the Abstract***

In the Action, the Examiner objects to the term “comprises” in the abstract. [See Action at p. 2.] Applicants have amended the abstract to change the word “comprises” to “includes.”

***Allowable Subject Matter***

In the Action, the Examiner indicated that claims 1-17, 30-40, 46 and 47 would be allowable if amended to overcome a rejection under 35 U.S.C. § 101. The rejection under 35 U.S.C. § 101 is addressed below.

***Response to Rejections Under 35 U.S.C. § 101***

In the Action, the Examiner rejected claims 1-17, 30-40, 46 and 47 under 35 U.S.C. § 101 as being directed to non-statutory subject matter. Applicant respectfully disagrees. However, to expedite prosecution, independent claims 1, 30, 46 and 47 have been amended.

As amended, claim 1 recites in part:

determining a capability rating for the computer system based on the comparing; and  
                          outputting the capability rating.

As amended, claim 30 recites in part:

determining a capability rating for the computer hardware component based on the comparing; and  
                          outputting the capability rating.

As amended, claim 46 recites in part:

A software system on one or more computer-readable media, the software system for rating a computer system's ability to run software applications . . . .

As amended, claim 47 recites in part:

A software system on one or more computer-readable media, the software system for rating a computer system's ability to run software applications . . . .

Amended claims 1, 30, 46 and 47 comply with 35 U.S.C. § 101, and the rejections of claims 1-17, 30-40, 46 and 47 under § 101 should be withdrawn.

***Request For Interview***

If any issues remain, the Examiner is formally requested to contact the undersigned attorney prior to issuance of the next Office Action in order to arrange a telephonic interview. It is believed that a brief discussion of the merits of the present application may expedite prosecution. Applicant submits the foregoing formal Amendment so that the Examiner may fully evaluate Applicant's position, thereby enabling the interview to be more focused.

This request is being submitted under MPEP § 713.01, which indicates that an interview may be arranged in advance by a written request.

***Conclusion***

The claims in their present form should now be allowable. Such action is respectfully requested.

Respectfully submitted,

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